


<sup>1</sup> Attached hereto is a Table of Contents that identifies all affidavits and exhibits that are being filed with Defendants' motion to dismiss.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to this Court's May 26, 2006 Order, answering papers, if any, must be served on or before July 26, 2006, and reply papers, if any, shall be served on or before August 4, 2006.

Dated: New York, New York  
June 16, 2006

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**Table of Contents**

- 1) Notice of Motion to Dismiss Complaint Pursuant to Fed. R. Civ. P. 12(c)
- 2) Memorandum of Law in Support of Defendants' Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(c)
- 3) Affidavit of John R. Goldman in Support of Defendants' Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(c) ("Goldman Aff.")
  - (a) Exhibit A to Goldman Aff. -- Plaintiff's Complaint, filed on or about March 10, 2006;
  - (b) Exhibit B to Goldman Aff. -- Defendants' Answer to the Complaint, filed on May 15, 2006;
  - (c) Exhibit C to Goldman Aff. -- The Equipment Services Agreement dated as of January 1, 2002 between Plaintiff and defendant 415 Equipment Partners LLC (the "Equipment Contract"); and
  - (d) Exhibit D to Goldman Aff. -- The Settlement Agreement dated as of August 30, 2002, between United Technologies, Pratt & Whitney Division ("P&W"), on the one hand, and 415 Washington Ave Partners LLC and 415 Equipment Partners LLC, on the other (the "Settlement Agreement").